

**REMARKS**

The Office Action objected to the title of the invention as not being descriptive. Applicant has replaced the title.

In the Office Action, claims 29-32, 61-64, and 92-95 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,812,937 to Takahisa et al. (hereinafter "Takahisa"). These rejections are respectfully traversed.

Claims 29-32, 61-64, 92-95 are directed towards systems and methods for distributing music over music channels to users for playback on their music equipment. Each music channel has an associated data stream containing information on a plurality of music programs. Depending on the embodiment, music information may include, for example, track information, title information, artist information, graphics, web links, ordering information or other information related to the music programming carried on the music channel (page 3, line 28 to page 4, line 9).

The claimed approach provides, among other things, a novel user interface for music programs provided over the same

music channel. While a music program is being played by the user's music equipment (i.e., the claimed "first music program"), music information is displayed for another music program (i.e., the claimed "second music program") on the same channel. The music information for the second program is obtained from the data stream while the first music program is being played. One of the advantages of this approach is that it allows user to listen to a music program while seeing, for example, what is coming up on the music channel.

At bottom, Takahisa does not show or suggest such an approach. Takahisa's system displays information in the data stream for either: (i) the currently listened to program; or (ii) for a currently aired program on another channel.

Applicant will, however, discuss each of the portions of Takahisa cited in the Office Action to specifically address the bases of the § 102 rejection.

The Office Action cited FIG. 3. FIG. 3 does not show the claimed approach. Column 7, lines 54-56 explains that the information in FIG. 3 is for the music program that is currently being played, not some other music program:

The information window 305 of FIG. 3 indicates composer, title, and performer data stored in memory 205, corresponding to

program material contemporaneously being received by receiving system 200.

The Office Action also cites FIG. 19 and its corresponding description at col. 20, line 45 to col. 21 line 9. FIG. 19 does not include information for a music program. It is a channel selection menu that includes music channel information. Users can select a channel by inputting its tuning frequency. Users can also search for a channel that transmits music of a certain type (e.g., rock, traffic, weather, opera). FIG. 19 does not include any information about a given music program. The user will not see information about the program on the new channel until after the system tunes because music program information is provided in a different display (see, e.g., FIGS. 3 and 4).

FIG. 19 also allows the user to specify the frequency for obtaining data, which can be different from the frequency on which the music program is found. In this regard, FIG. 19 is similar to FIG. 14, which was also cited by the Office Action. FIG. 14 allows the user to specify one of two modes of operation for a system equipped with two tuners. In the first mode, the system displays music information for the currently aired program. In the second mode, the system displays information

for a music program on a different channel. The approaches of FIG. 19 and the second mode of FIG. 14 are not the approach set forth in claims 29-32, 61-64, and 92-95. Neither of them will allow the display of music information for a different program on the same channel.

FIG. 10 was also cited by the Office Action. FIG. 10 is a menu display that allows a user to select one of a number of modes of operation. None of these modes allows the user to listen to a music program while viewing information for another music program on the same channel, as set forth in independent claims 29-32, 62-64, 92-95. In particular, the "Full" mode operates as described in connection with FIG. 2, by allowing the user to view information for only the currently aired program. Col. 14, lines 40-43.

Independent claims 29, 61, and 92 are therefore patentable over Takahisa. Claims 30-32, 62-64, and 93-95, which depend from claims 29, 61, and 92, respectively, are therefore also patentable.<sup>1</sup> This application is therefore in condition for

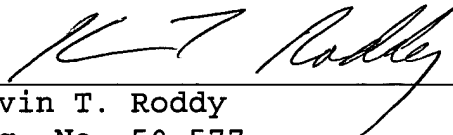
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<sup>1</sup> Claims 30-32, 62-64, and 93-95, which depend from claims 29, 61, and 92, respectively, include additional features that also make these claims patentable. Applicant reserves the right to argue the patentability of these claims separately should prosecution continue.

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allowance. Reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,



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